

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

KENNETH D. BELL,

Plaintiff,

v.

Case No: 5:20-mc-10-JSM-PRL

NATHANIEL WOODS,

Defendant.

ORDER

This case is before the Court for consideration of two motions filed by Defendant Nathaniel Woods: (1) motion to dissolve writ of garnishment (Doc. 16); and (2) motion to quash writ of garnishment (Doc. 18). Both motions pertain to the writs of garnishment recently issued in this case (Docs. 6 & 7). Woods seeks to quash or dissolve the writs and contends that Plaintiff has no right to enforce them because the foreign judgment in this case was assigned to another party. (Docs 16 & 18). Woods also asserts a collateral challenge to the class action judgment that was registered in this Court to initiate this case.

The procedure for dissolution of writs of garnishment is governed by Florida Statutes § 77.047. Meanwhile, this case is also governed by this Court's Local Rules, and Defendant's motions lack the certification required by Rule 3.01(g). Local Rule 3.01(g) provides that "[b]efore filing any motion in a civil action, except a motion for injunctive relief, for judgment on the pleadings, for summary judgment, or to certify a class, the movant must confer with the opposing party in a good faith effort to resolve the motion." There is no exception for motions for dissolution of writs of garnishment or for motions to quash a writ of garnishment.

Accordingly, Defendant's motions (Docs. 16 & 18) are denied without prejudice for failure to comply with Local Rule 3.01(g). If Defendant wishes to re-file his motions, he may do so within 14 days of the entry date of this Order, provided that he has fully complied with both the letter and spirit of Local Rule 3.01(g).

DONE and **ORDERED** in Ocala, Florida on September 24, 2021.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties